HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No. 27761 of 2007

27.12.2007

Between:
Zaheer Ahmed Khan & others

… Petitioners

AND

Andhra Pradesh State Wakf Board,
Rep. by its Chief Executive Officer,
Hyderabad

… Respondent

Counsel for the petitioners : Sri A.M. Qureshi

O R D E R:

This writ petition is filed for a writ of mandamus to declare non-payment of the petitioners' shares from the income of Koh-e-moulali, Malkajgiri, Ranga Reddy District and in not considering their representations dated 30.01.2004 and 21.04.2004 as illegal and arbitrary.

Heard Sri A.M. Qureshi, learned counsel for the petitioners and perused the record.

The case of the petitioners, as could be seen from the averments contained in the affidavit, is that a Munthakab bearing No. 121/1963 was granted by Atiyat Court in favour of Gulam Ali Khan, Muthavalli of the above-mentioned dargah and the father of petitioner No.1 and that he died on 22.05.1998. The applications filed by the petitioners for recognizing them as successors of the deceased Muthavalli were eventually allowed by the Joint Collector, Ranga

Reddy District by order dated 15.07.2003. The petitioners, however, averred that petitioner No.1 was removed as Muthavalli by Andhra Pradesh State Wakf Board on 15.07.2003 and questioning the same, he initiated proceedings before the Andhra Pradesh Wakf Tribunal.

The grievance of the petitioners is that though under the above-mentioned Munthakab, they are entitled to substantial part of the income earned by the Wakf, the petitioners are not being paid the same for many years and that the above-mentioned two representations made by them to the respondent have not been disposed of.

At the hearing, learned counsel for the petitioners submitted that the petitioners will be satisfied if their representations made on 30.01.2004 and 21.04.2004 are disposed of expeditiously by the respondent.

In view of this statement of the learned counsel for the petitioner and without going into the merits of the case, the writ petition is disposed of. The respondent is directed to consider and dispose of representations dated 30.01.2004 and 21.04.2004 said to have been sent by the petitioners within a period of six weeks from the date of receipt of a copy of this order. The respondent shall hear the petitioners in person before disposing of their representations.

As a sequel to disposal of the writ petition, W.P.M.P.No. 36309 of 2007 filed by the petitioners for interim relief is disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

27.12.2007

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